

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chairman Bill Wilson, on March 23, 2009 at 9:00
A.M., in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Bill Wilson, Chairman (D)
Rep. Bill Beck, Vice Chairman (R)
Rep. Michele Reinhart, Vice Chairman (D)
Rep. Elsie Arntzen (R)
Rep. Shannon Augare (D)
Rep. Paul Beck (D)
Rep. Carlie Boland (D)
Rep. John Fleming (D)
Rep. Timothy Furey (D)
Rep. Chuck Hunter (D)
Rep. Harry Klock (R)
Rep. Mike Milburn (R)
Rep. Pat Noonan (D)
Rep. Cary Smith (R)
Rep. Gordon Vance (R)
Rep. Jeffery Welborn (R)

Members Excused: Rep. Tom Berry (R)
Rep. Scott Reichner (R)

Members Absent: None

Staff Present: Santella Baglivo, Committee Secretary
Bart Campbell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 176, 3/11/2009; SB 189,
3/11/2009; SB 444, 3/11/2009

Executive Action: SB 189, SB 581, SB 127, SB 247,
SJ 10, SB 308

HEARING ON SB 189

Opening Statement by Sponsor:

00:00:27 Sen. Joe Balyeat (R), SD 34, opened the hearing on
SB 189, Revise consumer protection laws and settlement
proceeds.

[EXHIBIT\(buh64a01\)](#)

Proponents' Testimony: None

Opponents' Testimony:

00:17:19 Ali Bovingdon, Assistant Attorney General, Department
of Justice (DOJ)

[EXHIBIT\(buh64a02\)](#)

00:28:27 Cindy Stergar, Community Health Officer

00:31:46 Kathy McGowan, American Cancer Society

00:35:16 Mark Brennan, Montana Food Bank Network

00:40:35 Chris Heisel, Helena Food Share

[EXHIBIT\(buh64a03\)](#)

Informational Testimony:

00:43:05 Jim Gillett, Legislative Audit Division

Questions from Committee Members and Responses:

00:43:28 Rep. B. Beck

00:46:36 Ms. Bovingdon

00:47:31 Rep. B. Beck

00:47:38 Rep. Vance

00:48:17 Sen. Balyeat

00:48:34 Rep. Vance

00:48:46 Ms. Bovingdon

00:48:50 Rep. Vance

00:49:15 Ms. Bovingdon

00:49:31 Rep. Vance

00:49:47 Ms. Bovingdon

00:50:08 Rep. Vance
00:50:20 Ms. Bovingdon
00:50:29 Rep. Vance
00:50:37 Ms. Bovingdon
00:51:08 Rep. Reinhart
00:51:24 Ms. Bovingdon
00:52:03 Rep. Reinhart
00:52:15 Ms. Bovingdon
00:54:00 Rep. Reinhart
00:54:09 Ms. Bovingdon
00:54:21 Rep. Arntzen
00:54:39 Ms. Bovingdon
00:55:26 Rep. Arntzen
00:55:34 Ms. Bovingdon
00:56:00 Rep. Arntzen
00:56:10 Ms. Bovingdon
00:56:19 Rep. Arntzen
00:56:33 Sen. Balyeat
00:59:00 Rep. Arntzen
00:59:27 Mr. Brennan
00:59:30 Rep. Arntzen
00:59:40 Mr. Brennan
00:59:54 Rep. Arntzen
01:00:06 Mr. Brennan
01:00:18 Rep. Smith
01:00:39 Sen. Balyeat
01:01:07 Rep. Smith
01:01:27 Sen. Balyeat
01:01:41 Rep. Smith
01:01:58 Sen. Balyeat
01:02:46 Rep. Smith
01:02:56 Sen. Balyeat
01:03:07 Rep. Smith
01:03:19 Mr. Gillett
01:03:57 Rep. Reinhart
01:04:46 Sen. Balyeat
01:06:26 Rep. Reinhart
01:06:44 Sen. Balyeat
01:08:25 Chairman Wilson
01:08:49 Sen. Balyeat
01:09:21 Rep. Reinhart
01:09:55 Sen. Balyeat
01:11:05 Rep. Reinhart
01:11:38 Ms. Bovingdon
01:12:02 Rep. Reinhart
01:12:17 Ms. Bovingdon
01:12:55 Rep. Fleming
01:13:27 Ms. Bovingdon
01:14:42 Rep. Smith
01:15:06 Ms. Bovingdon

01:15:31 Rep. Smith
01:15:37 Ms. Bovington
01:15:46 Rep. Smith
01:15:50 Ms. Bovington
01:17:04 Rep. Smith
01:17:15 Ms. Bovington
01:17:49 Rep. Smith
01:18:19 Sen. Balyeat
01:18:41 Rep. Smith
01:19:04 Sen. Balyeat

Closing by Sponsor:

01:19:17 Sen. Balyeat

HEARING ON SB 444

Opening Statement by Sponsor:

01:26:30 Sen. Jesse Laslovich (D), SD 43, opened the hearing on SB 444, Revise prudent management of funds law.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:29:41 Sen. Laslovich
01:30:05 Chairman Wilson calls a recess.
01:44:18 Chairman Wilson resumes hearing.

HEARING ON SB 176

Opening Statement by Sponsor:

01:44:30 Sen. Gary Perry (R), SD 35, opened the hearing on SB 176, Exempt persons executing surety bonds from CLE requirements.

Proponents' Testimony:

01:46:45 Scott Restvedt, Montana Bail Agents Association
EXHIBIT (buh64a04)

01:52:31 Chairman Wilson
01:52:36 Mr. Restvedt
01:52:44 John Olsen, Glacier Bail Bonds
01:53:05 Kelly Reisbeck, Self
01:53:39 Jacqueline Lenmark, American Insurance Association
01:57:09 Mourie Anderson, Anderson Bond Company
01:57:30 Dan McKinney, Anderson Bond Company
01:57:45 Dave Crow, Self
01:58:03 Earl Rowe, Self, Missoula, Montana
01:58:40 Billy Revell, Liberty Bonds
01:59:10 Bob Ryan, Anderson Bail Bond Company
01:59:35 Bruce Spencer, Property Casualty Insurers Association
of America
01:59:45 Richard Wright, Central Montana Bail Bonds

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

Closing by Sponsor:

02:00:11 Sen. Perry

EXECUTIVE ACTION ON SB 176

02:01:15 **Motion:** Rep. Reinhart moved that **SB 176 BE CONCURRED IN.**

02:01:24 **Motion:** Rep. Reinhart moved that **SB 176 BE AMENDED.**
EXHIBIT (buh64a05)

Discussion:

02:01:32 Rep. Vance

02:01:42 **Vote:** Motion carried unanimously by voice vote.

02:01:46 **Motion:** Rep. Reinhart moved that **SB 176 BE CONCURRED IN AS AMENDED.**

02:01:54 Rep. Welborn called the question.

02:02:02 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 581

02:02:35 **Motion:** Rep. Reinhart moved that **HB 581 DO PASS.**

02:02:57 Chairman Wilson called a recess.

02:06:34 Chairman Wilson resumed hearing.

02:07:20 **Substitute Motion/Vote:** Rep. Reinhart made a substitute motion that **HB 581 BE TABLED.** Substitute motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 127

02:07:45 **Motion:** Rep. Reinhart moved that **SB 127 BE CONCURRED IN.**

Discussion:

02:08:28 Chairman Wilson

02:08:40 Rep. Noonan called the question.

02:08:55 **Vote:** Motion carried unanimously by voice vote. Reps. Berry and Reichner voted by proxy.

EXECUTIVE ACTION ON SB 247

02:09:54 **Motion:** Rep. Reinhart moved that **SB 247 BE CONCURRED IN.**

Discussion:

02:10:15 Rep. Arntzen

02:10:36 Chairman Wilson

02:10:41 **Motion:** Rep. B. Beck moved that **SB 247 BE AMENDED.**
EXHIBIT(buh64a06)

Discussion:

02:12:12 Mr. Campbell, Legislative Services Division

02:12:30 Rep. B. Beck

02:12:40 Chairman Wilson

02:13:02 Rep. Welborn

02:13:17 **Vote:** Motion carried unanimously by voice vote.

02:13:28 **Motion:** Rep. Reinhart moved that **SB 247 BE CONCURRED IN AS AMENDED.**

02:13:36 **Vote:** Motion carried unanimously by voice vote.

Discussion:

02:14:08 Rep. P. Beck

02:14:27 Rep. B. Beck

02:14:41 Rep. P. Beck

EXECUTIVE ACTION ON SJ 10

02:15:16 **Motion:** Rep. Reichner moved that **SJ 10 BE CONCURRED IN.**

Discussion:

02:15:26 Rep. B. Beck

02:16:09 Rep. Reinhart

02:16:45 Chairman Wilson

02:16:46 Rep. B. Beck

02:16:59 Chairman Wilson

02:17:32 Rep. Hunter

02:18:31 Chairman Wilson

02:18:39 Rep. Milburn

02:19:19 Rep. Reinhart

02:19:51 Rep. Arntzen

02:20:08 Rep. Reinhart

02:20:16 Rep. Arntzen

02:20:31 Chairman Wilson

02:20:44 Rep. Reinhart

02:21:23 Rep. Smith

02:21:37 Rep. Augare called the question.

02:21:50 **Vote:** Motion failed 9-9 by roll call vote with Rep. Augare, Rep. P. Beck, Rep. Boland, Rep. Fleming, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart, and Rep. Wilson voting aye. Reps. Berry and Reichner voted by proxy.

EXECUTIVE ACTION ON SB 308

02:22:51 **Motion:** Rep. Reinhart moved that **SB 308 BE CONCURRED IN.**

Discussion:

02:23:35 Rep. Hunter

02:24:23 Rep. Milburn

02:24:43 Rep. Klock called the question.

02:24:50 **Vote:** Motion carried unanimously by voice vote. Reps.
Berry and Reichner voted by proxy.

Discussion:

02:25:41 Rep. Arntzen

02:25:55 Rep. Milburn

ADJOURNMENT

02:26:14 Adjournment: 10:56 A.M.

Santella Baglivo, Secretary

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Additional Exhibits

EXHIBIT (buh64a07) Letter from Dr. Bob Bakko re: SB 235

EXHIBIT (buh64a08) Spreadsheet re: SB 235

Additional Documents:

EXHIBIT ([buh64aad.pdf](#))